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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 OAKLAND DIVISION

10 UNITED STATES OF AMERICA,) No. CR 13-00817 JST
11 Plaintiff,) STIPULATION AND [PROPOSED]
12) ORDER TO CONTINUE SENTENCING
vs.) HEARING DATE TO MARCH 18, 2016
13)
14 KEVIN GEORGE MOON,) Hearing Date: March 11, 2016
Time: 9:30 a.m.
15 Defendant.)
16 _____)

17 The above-captioned matter is set on March 11, 2016 before this Honorable Court for a
18 sentencing hearing. Mr. Moon pleaded guilty to possession with the intent to distribute
19 methamphetamine, a violation of 21 U.S.C. § 841. He faces a mandatory minimum sentence of
20 10 years in custody and a maximum sentence of life imprisonment.

21 The parties jointly request that the Court continue this matter to March 18, 2016, at 9:30
22 a.m., because defense counsel is out of the office and on leave later this week and, as a result,
23 defense counsel needs additional time to prepare Mr. Moon's case for sentencing. Mr. Moon is
24 facing career offender penalties and, in his sentencing memorandum, Mr. Moon will address the
25 career offender guidelines and will seek a substantial variance pursuant to 18 U.S.C. § 3553.

26 For these reasons, the parties agree that a one-week continuance until March 18, 2016 is

1 appropriate. The Probation Officer assigned to this case is in agreement with this continuance
2 and is available on the requested date. Finally, because Mr. Moon has pleaded guilty, the parties
3 are in agreement that the Speedy Trial Act does not apply.

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5 DATED: February 29, 2016

/S/
GARTH HIRE
Assistant United States Attorney

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8 DATED: February 29, 2016

/S/
ANGELA M. HANSEN
Assistant Federal Public Defender

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ORDER

2 Based on the reasons provided in the stipulation of the parties above, the Court hereby
3 FINDS:

4 1. Given that defense counsel will be on leave later this week and needs additional
5 time to prepare Mr. Moon's case for sentencing;

6 2. Given that government counsel and the Probation Office are available on the
7 requested date; and

8 3. Given that Mr. Moon has pleaded guilty and that the Speedy Trial Act does not
9 apply;

10 Based on these findings, IT IS HEREBY ORDERED that the sentencing hearing date of
11 March 11, 2016, scheduled at 9:30 a.m., is vacated and reset to March 18, 2016, at 9:30 a.m., for
12 sentencing.

DATED: February 29, 2016

